PATENT Attorney Docket No. 97-3-804CON

Certification Under 37 CFR 1.10 I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being de the United States Postal Service on this date						
Mary E. Anza						
(typed or printed name of person m						
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In re Application of:						
Deepak Ayyagari et al.)						
Serial No: (Unassigned)	Group Art Unit: 2732					
Filed: Herewith)	Examiner: Unassigned					
For: CAPACITY ENHANCEMENT FOR) MULTI-CODE CDMA WITH) INTEGRATED SERVICES) THROUGH QUALITY OF) SERVICE AND ADMISSION) CONTROL)						
Assistant Commissioner for Patents Washington, D.C. 20231						

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.98

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.98, applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. Copies of the references are available in the prior pending application, Serial No. 09/113,551, filed 7/10/1998.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines

that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This Information Disclosure Statement is being filed before receipt of a first Office Action on the merits for the above-referenced application. Should a first action on the merits have been issued on the same day or before this Information Disclosure Statement is filed, please accept this Information Disclosure Statement under Rule 97(c) and charge the requisite Rule 17(p) fee to our Deposit Account No. 07-2339 and proceed to consider this Information Disclosure Statement.

Respectfully submitted,

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James K. Weixel Reg. No. 44.399

Went

Date:

Verizon Services Group 600 Hidden Ridge, HQE03H01

Irving, TX 75038

Tel: 781/466-2220

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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